

July 1999—4 judges confirmed.
July 2000—5 judges confirmed.

MORNING BUSINESS

Mr. DASCHLE. I ask for unanimous consent that the Senate now proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELECTION FRAUD

Mr. BOND. Madam President, for the past several months I have been waiting patiently for the opportunity promised me to offer testimony on election fraud before the Senate Rules Committee. The committee has held days of hearings in Washington, and they have been on the road. My concern was that perhaps the committee was not interested in vote fraud, was not interested in hearing the details of the criminal activities that took place in Missouri in November of 2000. Certainly, it was not interested in what election law reforms are necessary to attack vote cheats.

Unfortunately, I can wait no longer. I am here in the Chamber rather than the committee because, although I was assured I would have the opportunity to testify about the extraordinary circumstances that occurred around the election in St. Louis, and thus make the case for real vote fraud reform, the committee has decided to move ahead without giving me the opportunity to pursue a voting machinery bill before the recess.

It is an understatement to say I am disappointed. But rather than dampening my enthusiasm, that disappointment makes me even more committed to the cause.

Simply put, it is imperative that we pass legislation this year that makes it easier to vote but harder to cheat. One without the other will not work and will not be acceptable.

Voting is the most important duty and responsibility of a citizen of our Republic. It should not and must not be diluted by fraud, by false filings and lawsuits, judges who don't follow the law, and politicians to try to profit from confusion. At the same time, voters should not be unduly confused by complicated ballots and voter rosters or confounded by inadequate phone lines or voting machinery.

One simple point as we begin: Vote fraud is not about partisanship. It is not about Democrats versus Republicans. It is not about the north side of St. Louis versus the south side. It is not about ethnic groups or religious groups or interest groups. It affects all citizens. It is about justice, for vote fraud is a criminal, not a political, act.

Illegal votes dilute the value of votes cast legally. When people try to stuff

the ballot box, what they are really doing is trying to steal political power from those who follow election laws. There can be no graver example of disenfranchisement. The Missouri Court of Appeals wrote:

[E]qual vigilance is required to ensure that only those entitled to vote are allowed to cast a ballot. Otherwise, the rights of those lawfully entitled to vote are inevitably diluted.

Let's discuss what is vote fraud; how does it work; how widespread is it; how can we stop it. Vote fraud is, at the core, the practice of illegally adding votes to a candidate's vote total or taking them away. It can be done by simply stuffing the ballot box with extra ballots at the end of the voting day. It can be done by voting in the names of people who are dead or otherwise have not voted. It can be done by creating lists of bogus names and addresses and then voting all those fake identities. It can be done in person. It can be done by absentee ballot. It can be done with a judge, incompetent, inattentive or unlawful, who issues a court order.

However, it is done, its design and purpose is single-minded: cheat to win. Fortunately, most of the time it does not work. But unfortunately, there are those who argue that because it fails more than it succeeds, it is not a real problem.

To those who make that argument, I recommend they take a few moments to review the comments of an old friend of mine with whom I served when I was Governor of Missouri. He is from the other party but is an active leader. State Representative Quincy Troupe stated this year, after news of the vote fraud came out in St. Louis: In this town, to win in a close election "you have to beat the cheat." That is the cry in St. Louis, people trying to cheat to win.

The impulse has been around since the dawn of civilization. Parents, teachers, and coaches tried mightily to instill in us that we should play fair, abide by the rules, and 99 percent of the time their lessons took root.

Unfortunately, not everybody has gotten the message. Every day we read stories of consumer fraud, the selling of test scores, point shaving scandals, stock swindles, real estate scams. I suppose we should not be shocked that people also try to steal votes and, ultimately, elections.

Because we are a nation of laws and we have basic faith that people will play fair, we simply don't like it when people try to cheat to win. That, of course, is what voter fraud is all about.

Unfortunately, we in Missouri saw it in this past election. No one wants his or her State to become a poster child for a problem, the hometown become a laughingstock. So it is with dismay that I come before my colleagues today to describe what has gone on in St.

Louis, what is going on, what reforms I believe are vital.

Missouri's secretary of state has just completed a comprehensive review of election 2000, centered around four basic voter fraud schemes, the question of felons voting, as well as reviewing the actions by local judges and the now infamous dead-man-claims-long-lines-keep-him-from-voting court case.

The four vote fraud schemes regularly practiced across the country are: Did individuals register and vote more than once; did any dead individuals have votes cast in their names; were false names/addresses voted; were drop sites used to give individuals multiple voting identities.

Each of these are classic vote fraud schemes designed to allow a small number of people to cast numerous votes either by absentee ballots or by moving from polling place to polling place and voting multiple names from the voter list.

Each scheme relies on access to registered voter lists in order to know what names to use, knowledge of the false names, or requires the individuals to have control of the absentee ballots. In one common form of absentee ballot fraud, the drop site scam, the individuals used in the scheme simply register, usually by mail, multiple names at one address and then request absentee ballots for all their new roommates, phantom though they might be, and they vote all of the ballots coming into those invisible roomies.

Sad to say, each of these schemes was in use on election day in Missouri. In reviewing only 2 of Missouri's 114 counties, the secretary of state found 14 probable drop sites where there were at least 8 registered voters, 8 registered voters in one house, with another 200 possible sites requiring further review. We had 68 dual registered people who voted twice. Good luck, folks. I think your day is coming. There were 79 vacant lots used as addresses for voters, and 14 dead people voted—certainly an inspiring theological effort, but one that is disappointing politically.

In addition, this investigation found that 114 felons voted and over 1,200 people who were not registered at all voted—in direct contravention of Missouri law. These people went before judges and said, "I want to vote." The Missouri Constitution says you have to be registered to vote. The judges said: You look like a nice guy or lady, so we are going to let you vote. That is illegal; that is fraud; that is criminal.

As I said, for each of the drop sites, the secretary of state used an eight-person rule—meaning he only reviewed those sites that showed eight or more registered voters at one address. And his staff only visited 20 percent of the total sites identified. Only law enforcement would be able to determine how many illegal votes were cast from these sites.

However, those responsible for voting twice, voting dead persons' names, and creating false addresses were obviously violating the law. There can be no question that criminal fraud occurred.

What can be done to protect us from this cheating in the future? In our review of the secretary of state's report, it is clear that a fundamental requirement for fraud is voter list manipulation. Bogus names are added with the intent to vote them absentee. Voters who have moved or died are left on the lists in order to create a pool of names to be voted, and the sheer confusion of clogged up voter rolls is used to further complicate efforts by election officials to keep the votes legal.

My staff's review of the voter lists in St. Louis has found rolls so clogged with incorrect, fraudulent data it almost defies description.

The number of registered voters threatens to outnumber the voting age population. A total of 247,000-plus St. Louis residents, dead or alive, are listed as registered voters compared with the city's voting age population of 258,000. That is a whopping 96-percent registration rate.

The reason why: Almost 70,000 St. Louis residents, or 28 percent, are on the inactive voter list. That means 1 in 4 eligible St. Louis voters cannot be located by the U.S. Postal Service as actually living where the voter rolls say they are registered.

More than 23,000 people in St. Louis are also registered elsewhere in Missouri. That means 1 in 10 are at least dual registered. Over 17,000 voters still are listed as registered in the city, even after moving out and registering at new addresses. Nearly 700 voters are registered twice in St. Louis. No fewer than 400 are registered once in the city and twice more elsewhere in the State. And five Missouri voters are registered at four different places across the State.

Though dead for 10 years, former St. Louis Alderman Albert "Red" Villa was actually registered to vote this spring in the city's mayoral primary. Ritzzy Meckler, a mixed-breed dog, was also registered to vote in St. Louis. We don't know her party preference, but I won't go into the "voting is going to the dogs" line.

This spring, a city grand jury began an investigation of 3,800 voter registration cards dumped on the election board on the last day to register before the March 6 primary: Press reports initially noted that at least 1,000 were bogus registrations for people already registered.

The U.S. attorney has now taken over the case, and a Federal grand jury investigation is underway, as the FBI has recently issued a subpoena to the St. Louis Election Board for records pertaining to any person who registered to vote between October 1 of last year and March 6 of this year.

They also requested all records of anyone who cast absentee ballots or regular ballots, as well as anyone who was turned away from voting.

It is obvious that there has been brazen fraud with these bogus voter registrations. With dead people registering, fake names on voter lists, and phony addresses, it is painfully clear that the system is being abused.

The only conclusion: Reform is imperative.

There are three key weaknesses in the current system: the ease in which drop sites can be created; the ability of individuals to imposter others and vote in their name; and dual registrations.

The drop sites are a direct result of allowing mail-in or drop-off registration without also requiring some form of authentication that the names being registered are of people actually existing. This creates pools of false names on the voter rolls.

Because absentee voting after mail-in registration is allowed, it is very easy for those bent on cheating to cast votes for people who never existed. This clearly is in need of reform.

Second, the ability of individuals to pose as others is directly dependent upon what type of identification is required for people voting. In the St. Louis mayoral primary this past March, as a result of the attention I and others brought to this situation, they required photo IDs, and there were no complaints of voter impersonation or voter intimidation. Obviously, the ability to pose as another would be severely restricted with a simple photo ID requirement. St. Louis may have had an honest election. It should be celebrated in the history of Missouri. The March election was an honest one.

Third, the number of dual registrations creates a huge pool of names for the unscrupulous to abuse. It also causes confusion for the legitimate voters. A statewide database would clearly eliminate most dual registrations. That is certainly one of the recommendations of the Carter-Ford Commission that deserves support.

However, as simple as these reforms may be, the problems are deeper. For example, motor voter actually blocks States from requiring notarization or other forms of authentication on mail-in registration cards.

Given that nearly all of the fraudulent registrations were mail-in forms, it is obvious that we need to make real reforms in this area. At a minimum, States need to be given the authority to require on mail registration forms a place for notarization or other authentication. Under current law, States are actually prohibited from including this safeguard. This is one obvious place where the Federal law is clearly an impediment to antifraud efforts. Why do we so easily require a photo ID to board a plane or to buy beer and cigarettes, while leaving the ballot box undefended?

Motor voter has also built a system whereby once bogus names are registered, it is impossible to get them off the lists. Current Federal law blocks a person's removal from the rolls unless he or she is reported dead, requests removal, or the U.S. Postal Service returns certified election board mailings to the person as "undeliverable" and the person fails to vote in two successive Federal elections. When names are added to vote lists for fraudulent purposes, they certainly are not going to request removal, or they certainly are not going to forget to vote. If you have gone to the trouble to register somebody fraudulently, you are going to vote them in every election. What protections do we have? None.

We passed the motor voter bill with best intentions. Unfortunately, we now have proof that the very mechanism designed to boost voter participation has turned the Nation's voter rolls into a tangled mess. In Missouri, we saw how the motor voter flaws paralyzed the St. Louis Election Board last year. The board's inability to maintain its lists invited brazen vote fraud, now the subject of a Federal criminal probe.

In Florida, St. Louis, and elsewhere, sloppy maintenance of voter rolls fueled charges of minority disenfranchisement. The legacy of the motor voter bill is that while it tried to boost voter participation, it may, in fact, now be responsible for reducing the integrity of and confidence in our elections. The best election "reform" Congress can undertake this year is to go back and fix the flaws in the law we passed 7 years ago.

We need to get a handle on the voter lists. People who register and follow the rules should not be frustrated by inadequate polling places and phone lines, or confused by out-of-date lists. At the same time, we must require the voter list to be scrubbed and reviewed in a much more timely manner—so cheaters cannot use confusion as their friend.

It is time we got rid of St. Louis's lasting reputation, described my old friend Quincy Troop this way: The only way you can win a close election in this town, you have to beat the cheat.

Madam President, I thank the Chair and my colleagues. I yield the floor.

RELEASING THE HOLD ON TWO NOMINEES FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Mr. SPECTER. Madam President, I had written placing a hold on two nominees from the Department of Health and Human Services. I wrote that last week on Janet Rehnquist, on July 27. She is up for inspector general of the Department of Health and Human Services; and Alex Michael Azar, II, up for general counsel of the Department of Health and Human Services.